

## THE WEATHER

Tonight and Thursday unsettled weather. Probably showers. Cooler tonight.

## TONOPAH DAILY BONANZA

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TONOPAH, NEVADA, WEDNESDAY EVENING, MAY 8, 1918

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## UNCLE SAM FLINGS HAT IN THE RING

## Cloud Kissed Emblem of American Aero Corps Arouses Fury of the Huns

## JUDGMENT IN WHITE CAPS APEX CASE ENTERED FOR THE PLAINTIFF

General Verdict of the Jury Accords With the Sentiment of The Court

In the district court at 12:30 this afternoon Judge Mark R. Averill ordered judgment entered for the White Caps Mining company in the suit against the Manhattan Morning Glory Mining company in which the court endorses the general verdict of the jury. The case is summed up concisely in the following paragraph:

"I consider the general verdict of the jury correct and in harmony with the answers to the special issues submitted to it. The general verdict is in accord with my conclusions which are somewhat more favorable to the plaintiff company than those of the jury. Judgment, therefore, should be entered in favor of the plaintiff, the White Caps Mining company, in response to the prayer of its complaint, except for damages, against the defendant company."

The opinion in full is as follows: The complaint in this suit stated a case at law, one in trespass and for damages, resembling the common law action known as trespass quare clausum fregit. It soon developed into a contest of an equitable nature, one to quiet title to certain ore bodies under the surface of the White Cap No. 1 Claim of the plaintiff company, when the questions of trespass and damages became subordinated to the question of the ownership of the apex of a vein, this in turn depending upon whether the limestone belt, known as the White

Cape Limestone, constitutes a vein. In suits of an equitable character a jury acts in an advisory capacity; and it now becomes my duty to review the findings of the jury in this case and either reject or accept them. Before proceeding, I desire to say that the jury herein were most attentive to the testimony and were so careful, thorough and conscientious in their consideration of the detail of the case that the conclusions reached by them are entitled to great respect; and the advice they have thus given to the court should be accepted unless some serious error has been committed.

The Limestone Belt The first question to be answered is whether the limestone belt known as the White Caps Limestone constitutes a vein. It is shown on the map known as Plaintiff's Exhibit 5 as about twenty separate blocks, some of which are wholly detached from their neighbors, and some only partly so, a condition due to faulting. I believe that the evidence shows that this limestone belt and three others roughly parallel to it, all having a direction slightly south and east and north of west, were broken by at least four groups of faults.

The first of these accompanied the uplift or folding which placed the four belts of limestone and the shale between them in their present location. (Continued On Page Two.)

## BRITAIN SHOCKED BY GEN. MAURICE

(By Associated Press)

LONDON, May 8.—The Daily Mail says Premier Lloyd George will give the facts which were withheld until now, for military reasons when he speaks in the house of commons Thursday on the charges that General Maurice and members of the cabinet that he made misstatements on the military situation. The government has announced that the Asquith faction to refer investigation of the Maurice charges to a committee, would be a vote of censure of the government if carried.

General Maurice is the most discussed man in England today. If

some volunteer general or soldier who graduated from politics or business defied or trampled on the laws and traditions of the British army and all armies, he would not have excited such an enormous surprise as has Maurice in his letter impugning the veracity of the ministry. Had some of the lesser military officers written the letter it would have been put down due to a lack of tradition or disregard of the conventionalities by a citizen soldier, but General Maurice in personality and record and career, has been the personification of all that is conventional, austere and correct in a professional soldier.

## CLIP HAIR AND TIE UP ALIENS

(By Associated Press)

SAN RAFAEL, Cal., May 8.—The authorities said they would not seek to ascertain the identity of the masked men who clipped the hair and tied Henry Sang to a tree near the court house last night. The secretary of the draft board said Sang and Emil Inauen asked exemption on the grounds that they were Swiss-Germans and in feeling and sentiments favored Germany. Both disappeared today. Masked men distributed handbills saying the pair had "sworn they endorsed every murderous act of Germany. They are now on view at the court house." There is no police record of violence to Inauen.

## SENDING GRAIN ON WARSHIPS

(By Associated Press)

WASHINGTON, May 8.—The United States is sending Switzerland grain aboard armed ships under heavy naval convoys prepared to fight through the danger zone in defiance of German submarines. Two left an Atlantic port some time ago, two sailed last week and others will go soon.

## NO MORE TITLES FOR GILT EDGE TRAINS

(By Associated Press)

OMAHA, May 8.—After June 15 all names for crack passenger trains will be eliminated throughout the entire country and trains will be known only by number. The orders emanate from Washington and fancy names are said to be advertising. Since there is no competition there is no reason for advertising, say railroads.

Twentieth Century Limited, Broadway Limited, Pennsylvania Limited, Overland Limited and similar glittering titles will all be abolished and the trains will be known by numbers only.

## Half a Million Boys in France

(By Associated Press)

WASHINGTON, May 8.—More than half a million American soldiers have been sent to France. Secretary Baker authorized the statement that his forecast to congress in January that 500,000 troops would be dispatched to France early this year is now surpassed.

## CONFESSES MURDER OF HIS COMPANION

(By Associated Press)

MARTINEZ, Cal., May 8.—John King, who was arrested in Stockton yesterday, confessed, according to the police, that he murdered Frank Bapsitte with a sledge hammer. It is thought Bapsitte assaulted him with a hatchet. Bapsitte's body was found in a boat near Bradford.

## DIVIDE IS BIG MINE

Fred Siebert, manager of the Olympic Mining company at Omco, Mineral county, motored in to Tonopah from Mina last evening with the following party of San Francisco capitalists: Dr. E. G. McConnell, A. C. Scott and C. L. Griffiths. Today they are viewing the underground workings of the Tonopah Divide. Mr. Siebert, when asked what he thought of the mine, replied: "She's some whale. Biggest thing I have seen in many a day."

## SALE OF BOXES FOR RED CROSS FUND

An auction sale will be held Saturday night in the center of Main street and Brougher avenue for the benefit of the Red Cross. Harry Grier will officiate on the rostrum and everybody will have a chance to get something useful and ornamental. The boxes are provided by the ladies who donated them for this excellent object and the contents will prove a surprise. The variety ranges from hams and lard to cut glass pitchers and lace doilies so that all tastes will find something of an appealing nature. Among the gifts may be mentioned an automobile spotlight, boxes of cigars, tons of coal, flour, new kitchen utensils, silk stockings and neckties. The Musicians' union has volunteered to furnish the music which will begin at 7 o'clock sharp and continue as long as the management finds there is an article to dispose of.

The town trustees have granted the ladies the use of the street for the night in question and, in return, the ladies will guarantee to deliver in every instance something of value representing in most cases, the handiwork of Tonopah's most artistic genius.

## GERMAN PLANES HELD IN RESERVE TO WAYLAY DARING YANKEE FLIERS

(By Associated Press)

WITH THE AMERICAN ARMY IN FRANCE, Tuesday, May 7.—Captain James Norman Hall, Colfax, Iowa, one of the leading American aviators, was last seen attempting to complete a spiral dive to earth back of the German lines after a thrilling battle with enemy airplanes ten miles north of Pont-A-Mousson. His fate is unknown. Hall with two others engaged four enemy Albatrosses, two of which dropped toward the ground apparently in distress.

Hall's machine had painted on the side the first American airplane insignia to appear on the battlefield. It was in the form of a "hat in the ring" showing a starry striped high hat surrounded by a golden ring.

Despite bad weather, German airplanes were out in force and frequent alarms were answered by the Americans. At one time Lieutenant Cunningham engaged one machine when five more enemy planes joined in the combat. Lieutenant Cunningham continued to fight until his machine gun jammed and he was forced to return to the American lines with ten bullet holes in his planes. The Germans usually send a small number of airplanes near the American lines and keep a reserve of five or six or seven until the Americans are sighted when they swoop down in an attempt to wipe out the Americans. The Americans met this by answering alarms with twice the number of machines it was reported the Germans had.

## AUSTRALIANS MAKE 500 YARDS GAIN EAST OF AMIENS

KANGAROOS START HUNS ON THE BACK TRACK WITH A GALLANT CHARGE

(By Associated Press)

WITH THE BRITISH ARMIES IN FRANCE, May 8.—The Australians pushed forward 500 yards, on a front of 500 yards last night near Sally le Sec, east of Amiens. They also pushed the Germans back 300 yards along 500 yards at Marlaucourt. Notwithstanding a heavy barrage the Germans were unable to prevent the advance.

## THIRTEEN SAMMIES KILLED IN ACTION

FOUR LIBERTY LADS FROM PACIFIC COAST IN THE LIST OF CASUALTIES

(By Associated Press)

WASHINGTON, May 8.—Lieutenant Beach of Piedmont, California, was among the thirteen reported killed in action in today's casualty list. Two died of accident and three of disease. Thirteen were severely and forty-one slightly wounded. Three are missing.

William Hennig of Los Angeles was killed in action. Alexander Hipes of San Francisco was severely and David Goetz of Los Angeles was slightly wounded.

## WRIST WATCHES FOR THE SAMMIES

(By Associated Press)

PARIS, May 8.—A hundred thousand wrist watches and an equal number of radio compasses for American officials are being rapidly assembled by the supply department from Swiss and other European stocks.

## AUSTRIANS CHANGE MEN AT HEAD OF NAVY

(By Associated Press)

WASHINGTON, May 8.—A Switzerland dispatch says serious disturbances in the Austrian fleet caused changes in the high command. Men of Italian descent and Slavs caused the trouble.

## TO STANDARDIZE SPUDS

(By Associated Press)

SACRAMENTO, May 8.—Horticultural Commissioner Hecke has urged a conference of growers, shippers and county commissioners to extend the fruit standardization act to include potatoes and onions.

## Crisis In The Prussian Diet

(By Associated Press)

BERNE, May 8.—The Kaiser returned to Potsdam today owing to the political crisis over the rejection of suffrage reform by the Prussian diet. Chancellor von Hertling was summoned to Potsdam.

## GERMANS GIVE KING TO FINNS

(By Associated Press)

LONDON, May 8.—A Stockholm dispatch says there seems little doubt that a monarchy will be proclaimed in Finland and that the German candidate, Duke Adolf Frederick, uncle of the crown princess of Germany, will be king. A spirit of reaction has spread through the out-countryside, it is said. The Finnish constitution, the most democratic in Europe, has been remodeled on more or less autocratic lines. It is said Finland is far from being completely pacified. Desultory fighting with rebels continues at many points.

## WOMEN INSIST ON SHARE OF TOBACCO

(By Associated Press)

PARIS, May 8.—Leading French suffragettes are protesting the new regulations where they exclude women from the privileges of distribution of tobacco by card. Madame Duvillier Schlumberger, although favoring prohibition of their use by minors, considers the application and restriction of women exclusively as arbitrary and unjust. Other feminist leaders expressed themselves likewise.

## FIRE IN SHIPYARD DUE TO ACCIDENT

(By Associated Press)

ALAMEDA, Cal., May 8.—Fire, believed to be the result of accident, damaged the steamship Marshfield on the ways at Barnes & Tibbets shipyards this morning.

## MRS. COWLES IS PRESIDENT

(By Associated Press)

HOT SPRINGS, May 8.—Mrs. Joseph Evans Cowles, California, was re-elected president of the General Federation of Women's clubs.

## HEAVY ARTILLERY FIRING RESUMED ON AMIENS FRONT

AMERICANS MADE SPECIAL TARGETS FOR ENEMY BATTERIES SUNDAY

(By Associated Press)

LONDON, May 8.—The British advanced their lines a short distance on the Amiens sector by minor operations last night. Hostile artillery developed with increased activity early today in Flanders between Meteren and Kemmel.

PARIS, May 8.—Heavy artillery fighting occurred last night on both sides of the Avre, southeast of Amiens.

WITH THE AMERICAN ARMY IN PICARDY, Monday, May 6.—Artillery fighting continues on the sector held by Americans Sunday.

## AMERICANS ARE ON THE ITALIAN FRONT

(By Associated Press)

NEW YORK, May 8.—The Berliner Tagblatt printed an Austrian headquarters dispatch April 8th, reporting the presence of an American contingent on the Italian front, but didn't identify the army of the service, supposed to be Americans. The message said British and French auxiliary troops had been withdrawn.

## MINISTER APPOINTED

(By Associated Press)

SAN JUAN DE SUR, May 8.—Former Minister of Foreign Affairs Diego Manuel Chamorro has been appointed Nicaraguan minister to the United States.

## BUTLER THEATRE

## TO-NIGHT

Owing to the non-arrival of "THE SPLENDID SINNER" "THE BEAUTIFUL LIE"

Will be shown instead. It is a falsehood truthfully told, featuring Frances Nelson

HEARST-PATHE NEWS Good and always interesting

## TOMORROW

Jack Pickford and Louise Huff in "JACK AND JILL"

First show 7:30; Second 9 p. m.

Matinee 1:30—Night 7:30-9:00 Admission 10-15c

## BILLIONS WANTED FOR STEEL SHIPS

(By Associated Press)

WASHINGTON, May 8.—The shipping board today submitted to congress a request for an appropriation of \$22,233,835,000. Production Director Schwab told the senate commerce committee that he had cancelled the cost plus contracts of the Submarine Boat company of Newark, N. J., for 160 steel ships and substituted contracts for a flat basis of \$940,000 each ship to speed construction.

## ZACK WHEAT REINSTATED

(By Associated Press)

CINCINNATI, May 8.—Zack Wheat of the Brooklyn National League club, was reinstated yesterday by the national baseball commission. In making an application for reinstatement, Wheat stated that he had come to terms with his club and no penalty was inflicted by the commission.

## U. S. PUBLICITY MEN BANISHED

(By Associated Press)

WASHINGTON, May 8.—Unofficially report the Carranza government has ordered the expulsion from Mexico of Robert Murray, representative of the committee on public information in Mexico City. Murray has been in charge of the work of the American government to conduct an offset German propaganda. The same advice say W. E. Weigand, one of the correspondents of the Associated Press, also was ordered to leave. The expulsions were ordered under a clause of the Mexican constitution providing for the summary deportation of "pernicious foreigners" without trial or hearing. This is taken to mean that the German propaganda has gained the upper hand in Mexican official circles.

## WINTER WHEAT AND RYE ARE LOOKING WELL

(By Associated Press)

WASHINGTON, May 8.—The department of agriculture today predicted a winter wheat crop of 572,333,000 bushels. Based on the condition of rye, May 1, the crop will be 82,625,000 bushels.

## PATIENT SHOWS IMPROVEMENT

Joe Farrell, who was operated on last Monday for appendicitis, is improving steadily and soon will be in normal condition.

## TODAY AND A YEAR AGO.

Official readings of the thermometer by the United States observer at Tonopah:

	1918	1917
5 a. m.	43	39
9 a. m.	49	42
12 noon	46	50
Maximum May 7	66	56
Minimum May 7	44	36
Relative humidity at noon	44	36
Today, 63 per cent.		